

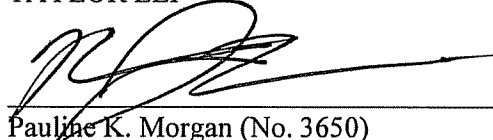
UNITED STATES DISTRICT COURT  
DISTRICT OF DELAWARE

In re:	) Chapter 11
	)
FOAMEX INTERNATIONAL, INC.	) Case No. 05-12685 (KG)
	)
	)
Reorganized Debtor.	)
_____	)
	)
GUNGOR M. SOLMAZ, et al.,	) Civil Action No. 07-364
	)
Appellants	)
	)
v.	)
	)
FOAMEX INTERNATIONAL, INC., et al.,	) Bankruptcy Case No. 05-121685
	) AP 07-65
Appellees	)

**AGREEMENT AND REQUEST TO DISMISS  
APPEAL PURSUANT TO FED.R.BANKR.P. 8001(c)(2)**

Pursuant to Federal Rule of Bankruptcy Procedure 8001(c)(2), the undersigned parties hereby agree to dismiss the above-captioned appeal and respectfully request that the Court enter the proposed order, attached hereto as Exhibit A, dismissing this appeal. The parties further agree that each of the parties shall bear its own costs and attorneys' fees incurred in this appeal.

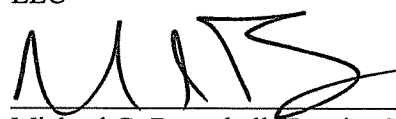
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# **EXHIBIT A**

**UNITED STATES DISTRICT COURT  
DISTRICT OF DELAWARE**

In re:	)	Chapter 11
	)	
FOAMEX INTERNATIONAL, INC.	)	Case No. 05-12685 (KG)
	)	
	)	
Reorganized Debtor.	)	
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GUNGOR M. SOLMAZ, et al.,	)	Civil Action No. 07-364
	)	
Appellants	)	
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v.	)	
	)	
FOAMEX INTERNATIONAL, INC., et al.,	)	Bankruptcy Case No. 05-121685
	)	AP 07-65
Appellees	)	
	)	

**ORDER DISMISSING APPEAL**

Having considered the Agreement and Request to Dismiss Appeal Pursuant to  
Fed.R.Bankr. P. 8001(c)(2) filed in the above captioned matter, it is hereby:

ORDERED that this appeal is dismissed.

\_\_\_\_\_, 2007

\_\_\_\_\_  
United States District Judge